



LIQUOR & TOBACCO ADVISORY BOARD
Wednesday, January 20, 2016
5:30 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Minutes on Website: <http://rockfordil.gov/community-economic-development/construction-development-services/land-use-zoning/zoning-board-of-appeals.aspx>

Present:

ZBA Members: Alicia DiBenedetto-Neubauer
Kimberly Wheeler-Johnsen
Dan Roszkowski
Craig Sockwell
Melissa Luciani-Beckford

Absent: Scott Sanders
Tom Fabiano

Staff: Scott Capovilla – Zoning and Land Use Administrator
Marcy Leach - Public Works
Sandra Hawthorne - Administrative Assistant
Lafakeria Vaughn - Assistant City Attorney
Tim Morris – Fire Department

Others: Alderman Teena Newburg
Kathy Berg - Court Stenographer
Applicants and Interested Parties

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Sandra Hawthorne explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative will come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name to the Zoning Board of Appeals secretary and the stenographer
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.

- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

It was further explained to the public in attendance, applicants, objectors and interested parties that this meeting is not a final vote on any item. The date of the Codes & Regulations meeting was given as Monday, January 25, 2016, at 5:30 PM in City Council Chambers of this building as the second vote on these items. The public in attendance, applicants, objectors and interested parties were instructed that they could contact the Zoning Office for any further information and the phone number was listed on the top of the agenda which was made available to all those in attendance. The City's web site for minutes of this meeting are listed on the agenda as well.

The meeting was called to order at 6:35 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the minutes of the December meeting as presented. The Motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 4-0 with Melissa Beckford abstaining and Scott Sanders and Tom Fabiano absent.

015-LTAB-045

Applicant
Ward 04

5843 Forest Hills Road

Vasant R. Patel / S.V. Enterprise Inc. d/b/a Discount Tobacco & Pop
Sale of package liquor in conjunction with a tobacco and convenience store
Sale of tobacco products in conjunction with a tobacco and convenience store
in a C-2, Limited Commercial Zoning District

Vasant Patel, Applicant, reviewed his request for tobacco and packaged liquor sales. Attorney Vaughn asked Mr. Patel if he had the opportunity to review the Staff's conditions and if he was willing to commit to same. Mr. Patel responded he had reviewed all conditions and was agreeable.

Staff Recommendation was for Approval of both requests subject to (12) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Melissa Beckford to **APPROVE** the sale of package liquor in conjunction with a tobacco and convenience store and the sale of tobacco products in conjunction with a tobacco and convenience store in the name of Vasant R. Patel / S.V. Enterprise Inc. d/b/a Discount Tobacco & Pop in a C-2, Limited Commercial Zoning District at 5843 Forest Hills Road. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Submittal of an interior floor plan that indicates the interior packaged liquor and tobacco products sales display areas for Staff review and approval.
4. The sale of packaged liquor and tobacco products shall be limited to the revised interior floor plan.
5. The hours of operation will be limited to 8:00 AM to 10:00 PM Monday through Saturday.
6. The hours of operation will be limited to 10:00 AM to 10:00 PM on Sunday.
7. Window display signage is limited to 20% of window area.
8. That the windows shall not be covered with bars or other devices that block the windows.
9. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
10. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
11. That there shall not be temporary exterior signage.
12. All conditions must be met prior to the issuance of the new tobacco and liquor licenses.

015-LTAB-046

Applicant
Ward 04

3001 North Perryville Road

Suzanne Larson / Coffee House Holdings, Inc. d/b/a Starbucks Coffee

Sale of beer and wine by the drink in conjunction with a coffee shop

Sale of beer and wine by the drink in conjunction with an outdoor seating area
in a C-2, Limited Commercial Zoning District

Prior to the meeting, a written request was received by the applicant stating they wished to Withdraw the request for sale of beer and wine by the drink in conjunction with an outdoor seating area.

Rebecca Rabin, Suzanne Larson, and Paul Overly were present. Ms. Rabin reviewed the request for sale of beer and wine by the drink in conjunction with a coffee shop. They wish to supplement their menu to allow customers to purchase beer or wine by the drink. She stated it is not their intent to change the Starbucks atmosphere. Ms. Rabin further stated they have 50 stores in Illinois and they have not had a single violation. Their employees walk around to be certain that the person who purchased the alcoholic beverage is the one enjoying the beverage. There is a one to one ratio for beverages; i.e., one individual cannot purchase beverages for other customers and take them back to the table. Each customer must purchase their individual beverage one at a time.

Legal did not have any questions of the Applicants at this time.

Craig Sockwell asked if they were going to serve alcohol at all stores in the Rockford area. Ms. Rabin stated they were not – it was only at this location. At this time, they have 6 stores in the Rockford area, but only this store was chosen for alcohol sales.

Staff Recommendation was for Lay Over. Mr. Capovilla stated Staff and the Legal Department had attempted to contact the Applicant for a business plan and did not receive any feedback. They did receive the required information one day prior to this meeting; however, it was not received in time to be included in the reports prepared the previous week. Staff has not had an opportunity to prepare conditions of approval should the Board so vote, but did provide some at this time.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of beer and wine by the drink in conjunction with a coffee shop in the name of Suzanne Larson / Coffee House Holdings, Inc. d/b/a Starbucks Coffee in a C-2, Limited Commercial Zoning District at 3001 North Perryville. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Staff wished to amend condition (3) to reflect the sale of liquor rather than hours of operation. A **SECOND MOTION** was made by Alicia Neubauer to amend condition 3 to reflect the sale of liquor. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes
3. The hours of operation and sale of liquor will be during the hours stated in the business plan provided.
4. Window display signage is limited to 20% of window area.

015-LTAB-047

Applicant
Ward 04

6795 East Riverside Boulevard

Mark R. Blazer / Surafina & Altin LLC d/b/a Greenfire Restaurant, Bar & Bakery
Sale of liquor by the drink in conjunction with a restaurant
Sale of liquor by the drink in conjunction with an outdoor seating area in a C-3,
General Commercial Zoning District

Mark Blazer and Shendet Ismajlaj were present. Mr. Blazer stated they have had the opportunity to purchase this business. Attorney Vaughn asked the Applicants if they had an opportunity to review Staff's 9 conditions and Mr. Blazer stated they had. She further asked if they agree to all conditions as written and the Applicants stated they would.

Kim Johnsen asked whether they intended to continue with retail sales of packaged liquor. Mr. Ismajlaj stated they are selling a little packaged liquor at this point, but will be phasing this out to allow for a larger seating area. When asked if he would play an active part in the operation of the business, Mr. Blazer responded that he is putting up a minority share of the investment money but is not currently on the payroll. He does expect to become more active in the future and to be on the payroll.

Staff Recommendation was for Approval of both items with (9) conditions. No Objectors were present;

Ald. Teena Newburg spoke in favor of this application. She stated she is not the Alderman of the Ward but has known the Applicant for a long time and holds him in high regard. She feels he would be a positive influence in this venture.

A **MOTION** was made by Kim Johnson to **APPROVE** the sale of liquor by the drink in conjunction with a restaurant and to **APPROVE** the sale of liquor by the drink in conjunction with an outdoor seating area in the name of Mark Blazer Surafina & Altin LLC d/b/a Greenfire Restaurant, Bar & Bakery in C-3 General Commercial Zoning District at 6795 East Riverside Boulevard. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Must be in compliance with all City of Rockford Liquor Codes.
3. The sale of liquor by the drink must be in conjunction with a restaurant.
4. Hours of operation are limited to Monday through Friday 11:00 AM to 12:00 AM (Midnight); Saturdays from 8:00 AM to 2:00 AM and Sundays from 8:00 AM to 12:00 AM (Midnight) per the submitted business plan.
5. Window display signage is limited to 20% of window area.
6. The restaurant shall not have a cover charge.
7. The restaurant shall not have a dance floor.
8. The restaurant shall not have any DJ's.
9. The restaurant shall not operate as a nightclub

015-LTAB-048

Applicant
Ward 13

453 North Springfield Avenue

Moez Hooda d/b/a MAH Springfield Petroleum LLC
Sale of package liquor in conjunction with a gas station and convenience store
Sale of tobacco products in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District

Moez Hooda, Applicant, was present and reviewed his application for the sale of packaged liquor and tobacco products. He stated the current owner sells these products; Mr. Hooda is the new business owner and would like to continue offering package liquor and tobacco products to his customers.

Attorney Vaughn asked Mr. Hooda if he had reviewed Staff conditions and is agreeable. Mr. Hooda stated he has and absolutely agrees.

Staff Recommendation was for Approval of both requests with (8) conditions. No Objectors or Interested parties were present.

A **MOTION** was made by Crag Sockwell to **APPROVE** the sale of package liquor in conjunction with a gas station and convenience store and **APPROVE** the sale of tobacco products in conjunction with a gas station and convenience store in the name of Moez Hooda d/b/a MAH Springfield Petroleum LLC in a C-3, General Commercial Zoning District at 453 Springfield Avenue. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Must meet all applicable building, fire, liquor and tobacco codes.
2. The sale of liquor and tobacco shall be limited to the submitted interior floor plan Exhibit E.
3. The sale of liquor shall be restricted to the hours permitted by the Liquor Ordinance.
4. Inside signage cannot exceed more than 20% of window surface.
5. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
6. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
7. That the windows shall not be covered with bars or other devices that block the windows.
8. There shall be no single serving sales of liquor, beer or wine in volumes of 12 ounces or less.

015-LTAB-049

Applicant
Ward 01

542 North Lyford Road

James John / Tower Gas Inc. d/b/a Tower BP

Sale of package liquor in conjunction with a gas station and convenience store

Sale of tobacco products in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District

Neither Applicant nor Representative were present.

Alicia Neubauer stated she would be willing to Lay Over this item one time.

A **MOTION** was made by Kim Johnsen to **LAY OVER** the sale of package liquor in conjunction with a gas station and convenience store and to **LAY OVER** the sale of tobacco products in conjunction with a gas station and convenience store in the name of James John / Tower Gas Inc. d/b/a Tower BP in a C-3, General Commercial Zoning District at 542 Lyford Road. The Motion was **SECONDED** by Alicia Neubauer and **CARRIED** by a vote of 5-0.

With no further business to report, the meeting was adjourned at 7:20 PM

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Liquor & Tobacco Advisory Board